

## EVENT REPORT

# State-level consultation for the effective implementation of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 for women informal workers

Haryana, May 2024



Venue: Panchayat Office, Karnal, Haryana

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## Background

In India, the Sexual Harassment of Women at Workplace (Prevention, Prohibition, Redressal) Act (PoSH Act) was passed in 2013. It recognises that sexual harassment results in the violation of a woman's fundamental right to equality under Articles 14, 15 and 21 of the Indian Constitution. The Act provides protection against sexual harassment of women at work, and includes provisions for the prevention and redressal of complaints of sexual harassment at the workplace.

The Act mandates the constitution of an Internal Committee (IC) at the institutional level and a Local Committee (LC) at the district level for the prevention, prohibition and redressal of sexual harassment. The constitution of LCs and their effective functioning is of particular relevance for the informal sector.

According to a 2018 report of the International Labor Organisation (ILO), 82% of the total number of working women in India are employed in the informal sector, working in fields such as domestic work, home-based work, waste picking, construction, street vending and others. Awareness about the PoSH Act and accessing the LC is still a challenge for women informal workers in India. A [study](#) conducted by MFF in 2021 found that 78% of women informal workers had faced sexual harassment in their world of work. Another [survey](#) conducted by MFF in 2023 found that, despite having necessary information about the LCs, 90% women informal workers were hesitant to complain about sexual harassment at the workplace to the LCs.

Under MFF's #MainBhi (#MeToo) programme, the Ending Sexual Harassment: Making Institutions Accountable towards Women Workers in the Informal Sector project is a collaborative effort between MFF and the United Nations Trust Fund (UNTF). It focuses on strengthening institutional mechanisms and holding institutions accountable and responsible towards women domestic workers for the prevention, prohibition and redressal of sexual harassment. A key component of this project is to ensure effective and meaningful compliance of the PoSH Act.

A state-level consultation on the implementation of the PoSH Act was organised on 13 May, 2024 with the twin objectives of:

- Forming a coalition of organisations and individuals who will take forward the issue of safety at the workplace in their respective districts/locations in Haryana
- Working collectively to hold institutions accountable for the implementation of the PoSH Act

The consultation aimed to bring together stakeholders from 10 districts of Haryana to enable safe and dignified workplaces for women workers in the informal sector through policy reforms and implementation of the PoSH Act.

## The consultation

Ms. Samiksha Jha (Team Lead, MFF) welcomed the participants to the consultation. She began by introducing MFF, giving a brief overview of the organisation's history and our work in Haryana over the last eight years on the prevention and elimination of gender-based violence in working and learning spaces. Highlighting the work done by MFF with domestic workers, she emphasised that the journey would not have been possible without the support of the 10,000 women domestic workers associated with us.

Samiksha then introduced Ms. Mohini Devi, a women's rights and Dalit rights activist from Karnal, Haryana, and the winner of 7th Martha Farrell Awards, to address the participants. Mohini shared her experience of working for almost two decades on the issue of gender-based violence in various districts of Haryana, and emphasised that the consultation is an opportunity for the participants to understand the PoSH Act, and advocate for its effective implementation in Haryana.



Ms. Mohini Devi addressing the participants during the consultation

Ms. Nandita Pradhan (Director-Operations, Martha Farrell Foundation) then spoke about Dr. Martha Farrell, recounting Dr. Farrell’s work on the issue of workplace safety. Nandita shared the history of the PoSH Act, narrating the story of Bhanwari Devi, a social worker working with the Government of Rajasthan, who was sexually assaulted while doing her work to stop a child marriage taking place in her village. Supported by various civil society organisations (CSOs), Bhanwari Devi fought for her rights to a safe and harassment-free workplace, which culminated with the passing of the Vishakha Guidelines by the Supreme Court in 1992, and the PoSH Act in 2013.

Although the PoSH Act has been in force for the last 10 years, its implementation, especially for informal workers, has been grossly lacking. In 2016, as part of our advocacy efforts, MFF filed [RTI applications](#) to all 655 districts of India, which revealed that only 190 districts had set up an LC, in accordance with the provisions of the PoSH Act. In 2024, MFF filed [RTI applications](#) in 22 of the 23 districts of Haryana (excluding Gurugram) and found that only 11 had set up an LC.

The lack of visibility and prioritisation of the issue of sexual harassment at workplace and the poor implementation of the PoSH Act on the ground calls for the need for CSOs to come together to advocate for its effective implementation.

With this context in mind, the state-level consultation was convened to ensure the effective implementation of the PoSH Act in Haryana. 28 individuals from 10 districts of Haryana (Rohtak, Kurukshetra, Ambala, Karnal, Panipat, Sonipat, Kaithal, Jind, Hisar, Yamunanagar) were in attendance. The participants then broke into smaller groups to discuss the ground reality of sexual harassment at workplace for women in Haryana, and how the issue can be taken forward to make workplaces safer for women workers, especially informal workers.

## Discussions

Recognising that Haryana's 23 districts would have differing realities, challenges and strategies of working on the issue, the participants were divided into groups with others from the same or close by districts:

- Group 1: Karnal and Ambala
- Group 2: Panipat and Sonipat
- Group 3: Hisar, Jind, Yamunanagar and Kaithal
- Group 4: Rohtak and Kurukshetra



Participants from Ambala and Karnal during the group discussion

The group discussions centred around the following questions:

- Is sexual harassment a lived reality ? If so, who is experiencing it ?
- What is the institutional framework for addressing cases of workplace sexual harassment in India?
- Whom should we collaborate with to implement the PoSH Act in the district?
- How do we strategise and work with stakeholders to implement the act effectively?
- What specific activities should we undertake for implementing the act effectively ?

### **Awareness of the existence of sexual harassment and identification of vulnerable groups**

There was a general consensus among all groups that sexual harassment is a lived reality, particularly in the workplace and that women, especially, are vulnerable to it.



However, they differed in the specific types of groups or places that they recognised as being more prone to occurrences of sexual harassment. The groups were also consistent in their agreement on class and caste being factors that further contribute to the recurrence of sexual harassment against women.

The specific types of workers identified as being especially susceptible to exploitation by group 1 were mid-day meal workers in schools, contract workers in hospitals, domestic workers, workers working under Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) and daily wage workers, while Group 3 mentioned women in government schools, domestic workers, migrant workers, female police officers, hospital staff, factory workers and workers working in informal settings. Whereas Group 4 identified domestic workers and factory workers. Group 2 not only identified vulnerable groups, but went on to highlight additional places and instances of sexual harassment. They mentioned that sexual harassment doesn't only occur in the workplace but also at home and in institutions where women go to obtain certificates and exercise their rights. Specific examples mentioned include: property dealing offices where women are often chosen based on their appearance and then exploited for personal demands, sanitation workers where the Chief Sanitary Inspectors (CSI) exploit sanitation workers for sexual favours, often in a quid-pro-quo arrangement, and *anganwadi* training sessions where incidents of sexual harassment have been reported during these training sessions.

### **Awareness of the institutional framework for addressing cases of workplace sexual harassment in India**

Groups 1 and 3 were aware of LCs, but Group 1 raised concerns about their constitution and functioning, while Group 3 mentioned they had not heard of any cases being referred to LCs. Groups 2 and 4 were not aware of the constitution and functioning of LCs as mandated by the PoSH Act. Group 1 was surprised to learn that Ambala district has a constituted LC. MFF provided information and facilitated a discussion on LC constitution, functioning, fund allocation, and the irregular use of funds.

The remaining discussions thus centred upon the challenges faced by the victims of sexual harassment due to this lack of knowledge and accessibility to effective redressal mechanisms.

## Experiences of aggrieved individuals while reporting cases of sexual harassment

Groups 2, 3 and 4 all reported that the aggrieved individuals usually approach the police because of lack of knowledge about the PoSH act or the institutional frameworks under it, while Group 1 discussed the lack of gender sensitisation in workplaces and patriarchal biases within the police system as factors that hindered effective redressal mechanisms.

Group 2 also added that aggrieved women reach out to social activists and advocates but due to limited or no knowledge of the SHW Act, the cases are usually forwarded to the police. Some cases are taken to the mahila panchayat, but the aggrieved are frequently silenced. They shared a specific incident about an *anganwadi* worker who had her leg cut off when she tried to speak out about her experience of sexual harassment, illustrating the severe consequences faced by those who try to voice their complaints.

## Identification of collaborators and proposed strategies for the implementation of the PoSH Act

The four groups discussed strategies for ensuring the effective implementation of the PoSH Act in their districts. Each group outlined distinct strategies, involving a diverse range of collaborators, stakeholders, and action steps to mobilise institutions and systems at the local level.

Group 1 emphasised the need to advocate for the establishment of Local Committees (LCs) in every district through collective action, and suggested strengthening transparency through the Right to Information (RTI) process to access data on LC activities. Other strategies proposed by them included partnering with Local Government bodies to educate women about their rights under the Act, empowering ASHA workers to raise awareness among women informal workers, and conducting awareness campaigns targeting youth, particularly in colleges, to disseminate information about the PoSH Act and their rights. They believe that collaboration with these stakeholders will be crucial in effectively implementing and enforcing the provisions of the PoSH Act at the grassroots level.

Group 2 considered forming a collaborative team consisting of an advocate, *sarpanch*, ASHA workers, and *anganwadi* workers to support the implementation of the PoSH Act. They decided to petition the District Collector to establish the Local Committee (LC) mandated by the Act.

Additionally, they agreed to request details and contact information of LC members from the District Collector, if the LC is already constituted. Emphasising the importance of representation,

they advocated for including an *anganwadi* worker as a member of the LC. To ensure widespread dissemination of LC information, they proposed circulating details of LC members across various boards in the district. Recognising the crucial role of training, the group stressed the need for comprehensive training for LC members once the committee is established. They also discussed organising awareness sessions on the PoSH Act, highlighting the necessity of a helpline number for the LC and ensuring it is publicly accessible. Furthermore, they emphasised the importance of regular LC meetings and making meeting data available to the public. Finally, they set a timeline to contact the District Collector within two weeks to initiate the process.



Participants presenting their points after the group discussion

In pursuit of their goals, Group 3 resolved to establish an organisation led by active female leaders, including a female advocate. Their immediate plan involved arranging meetings with the District Collector of their respective districts to gather information on the status of Local Committees (LCs) mandated by the Act. If this information was unavailable, they decided to initiate the process of filing RTI requests. Simultaneously, they aimed to launch grassroots initiatives to raise awareness about the PoSH Act within local communities. Additionally, recognising the importance of capacity-building, they committed to organising training sessions for LC members once the committees were constituted.

Lastly, they planned to engage with the Chief Minister’s Good Governance Associate (CMGGA) based at the district office to further their objectives.



Taking a more proactive approach, Group 4 identified key stakeholders—including the *Sarpanch*, a lawyer, the Maharshi Dayanand University (MDU) Pradhan, and the police—as potential collaborators in determining the status of Local Committees (LCs) in their respective districts, with the first step being to visit the District Collector’s office with these stakeholders to gather information about the constituted LC. Additionally, a member from Kurukshetra district expressed a willingness to personally contact the District Collector by phone to obtain further details. The group also recommended reaching out to the District Welfare Office for additional information. While they did not set a specific timeline during their discussions, all members demonstrated strong commitment and enthusiasm for implementing their strategies effectively.

### Way Forward

The State-Level Consultation on the Effective Implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act 2013 for Women Informal Workers in Haryana served as a platform for meaningful discussions and strategic planning. Participants from diverse backgrounds and districts came together to address the pressing issue of sexual harassment in the workplace and to advocate for the effective implementation of the PoSH Act. The consultations shed light on the lived realities of sexual harassment experienced by women, particularly those coming from vulnerable and marginalised section of the society. Through collaborative efforts and proactive strategies, such as forming coalitions, engaging with stakeholders and conducting awareness campaigns, participants demonstrated their commitment to creating safe and dignified workplaces for female informal workers in Haryana. Moving forward, it is imperative to sustain this momentum and continue working towards achieving the objectives outlined during the consultation, thereby ensuring that the rights and dignity of all women workers are upheld and protected.



Participants along with the Martha Farrell Foundation team at the consultation

MFF continues its pivotal role in advancing workplace safety and accountability in Haryana by serving as a knowledge partner, offering expertise and resources crucial to implementing the PoSH Act 2013. Through capacity-building sessions, MFF will equip local partners with the skills needed to advocate for workplace safety and hold institutions accountable, ensuring a comprehensive approach to addressing sexual harassment. Initial efforts will focus on raising awareness about the importance of addressing sexual harassment and deepening understanding of the PoSH Act, laying a strong foundation for further action. Local partners will also raise awareness among informal workers, conduct baseline studies on Local Committees (LCs), and advocate for their formation and activation, fostering a grassroots movement for change. Through these collective efforts, informal workers will be mobilised to engage with LCs and district officials, ensuring the PoSH Act is effectively implemented, thus promoting safer work environments for all informal workers.



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